

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application of:	Kenneth S. Bloom, et al.
Serial No.:	10/799,114
Filing Date:	March 11, 2004
Confirmation No.:	7090
Title:	TAMPER-INDICATING CLOSURE, PACKAGE AND METHOD OF MANUFACTURE
Attorney Docket:	18420
Group Art Unit:	3781
Examiner:	R. A. Hylton

FILED VIA EFS

December 15, 2009

REPLY TO SECOND EXAMINER'S ANSWER

With respect to the rejections of the appealed claims, applicants maintain their basic position set forth in the Appeal Brief filed November 20, 2006 and in the Reply to Examiner's Answer filed November 30, 2007. This Reply is addressed to arguments presented by the Examiner in a second Answer mailed November 13, 2009 ("Examiner's Second Answer").

In the Examiner's Second Answer it is stated that this Reply Brief must address each new ground of rejection presented in the Examiner's Second Answer. The only new ground of rejection presented in the Examiner's Second Answer was a prior art rejection applied to dependent claims 2 and 12. Applicant addresses this new ground of rejection below.

Rejection of Dependent Claims 2 and 12 under 35 USC 102(b) over Ma 6,112,923

As already set forth in the Appeal Brief, dependent claims 2 and 12 are not separately argued in this Appeal, and will stand or fall with parent claims 1 and 7.

It is therefore believed and respectfully submitted that the rejection of all claims 1-12 should be reversed, and that these claims should be allowed.

Please charge any fees associated with this submission to Account No. 50-4417
(Rexam Plastic).

Respectfully submitted,

REISING ETHINGTON P.C.



By _____

Steven B. Walmsley
Reg. No. 48,021
Telephone (248) 689-3500
Facsimile (248) 689-4071

RCC/SBW